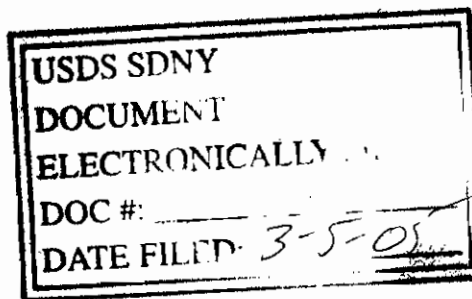


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February 23, 2008

United States District Court
Chambers of Harold Baer, Jr.
500 Pearl Street
New York, NY 10007

Attn: Linda Eckhouse



Re: Adonna Frometa v. Mario E. Diaz & All American Haulers & Recycling
Date of Loss: 2/14/2007
Our File No: SP07-001

CASE No. 07cv6372

Dear Ms. Eckhouse,

Pursuant to Judge Baer's Pre-Trial Scheduling Order, discovery in this action was to be completed by January 5th, 2008. Due to the fact that the deposition of the defendant had to be rescheduled to continue on January 11th, 2007, Plaintiff would like to request an extension of time to complete discovery in this case as well as extension of time to file dispositive motions in this action. Pursuant to the Pre-Trial Scheduling Order no dispositive motions can be made returnable after March 3rd, 2008. Due to the adjourned deposition of the defendant Plaintiff was unable to complete the discovery process timely as well as file her dispositive motions pursuant to this Order. Plaintiff just recently received last portion of the deposition transcript of the defendant in this action, and there are additional items of discovery that need to be requested from defendant in this action based on his testimony.

Should this application require personal appearance, Plaintiff is ready to submit this application at any time convenient to Court.

Very truly yours,

SLAWEK W. PLATTA, PLLC

Slawek W. Platta, Esq.

CC: Wilson, Elser, Moskowitz, Edelman & Dicker, LLP

Handwritten notes:
Saying I can & will agree to a late motion trial & your motions can give me only 30 (Staub) instead of 60 days to decide & if your discovery is completed by March 21 - motions by April 23, 08. That's best I can do. You have a letter to Harold Baer, Jr., U.S.D.J. Date: 3/1/08

Endorsement: Sorry I can and will agree to a late May trial and your motions can give me only 3-5 (about) instead of 60 days to decide, and if your discovery can be completed within that framework, *i.e.*, discovery will end by March 21, motions by April 21 and trial on or after May 23, 2008, that's the best I can do, unless you have a better idea.